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Attorneys for Plaintiff American Tibetan Health Institute, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

AMERICAN TIBETAN HEALTH
INSTITUTE, INC, a California corporation,

Plaintiff,

v.

KAM NG, an individual, C&L
INTERNATIONAL TRADING INC., a New
York corporation, KANG LI TRADING INC.,
a New York corporation, and K&C
INTERNATIONAL TRADING INC., a New
York corporation,

Defendants.

Case No.: 13-CIV-02763

**PLAINTIFF'S APPLICATION FOR
CERTIFICATE OF DEFAULT**

APPLICATION FOR CERTIFICATE OF DEFAULT

Plaintiff American Tibetan Health Institute ("ATHI"), by and through their undersigned counsel herein file this Application for Certificate of Default with the Court Clerk against Kam Ng, C&L International Trading Inc., Kang Li Trading Inc., and K&C International Trading Inc. ("Defendants"). Pursuant to Federal Rule of Civil Procedure 55(a) and Southern District of New York Local Civil Rule 55.1, plaintiff respectfully submits the following declaration in support of their application.

**DECLARATION OF OTTO O. LEE IN SUPPORT OF APPLICATION FOR CERTIFICATE
OF DEFAULT PURSANT TO FRCP 55(a) AND LOCAL CIVIL RULE 55.1**

I, Otto O. Lee, declare as follows:

1. I am an attorney at law duly licensed to practice before the Federal and State Courts of California and have been admitted to the Southern District of New York Pro Hac Vice. I am one of the attorneys representing American Tibetan Health Institute in this matter. I have personal knowledge of all the facts contained within this declaration, except those that are stated on information and belief. If called to testify to any fact contained within this declaration, I would and could be competent to do so.
2. The Defendants in this case include one individual and three business entities who are all competent to participate in this matter. None of the Defendants are infants, a member of the military, or would otherwise be deemed incompetent to participate in this proceeding.
3. On information and belief, the defaulting individual Kam Ng is not an infant, involved in the military or otherwise incompetent. Kam Ng's address is 84 Hester St., New York, New York, 10002.
4. On information and belief, the defaulting entity C&L International Trading Inc. is not an infant, involved in the military, or otherwise incompetent. C&L International Trading Inc. is a New York corporation having its principal place of business at 84 Hester St., New York, New York, 10002.
5. On information and belief, the defaulting entity Kang Li Trading Inc. is not an infant, involved in the military, or otherwise incompetent. Kang Li Trading Inc. is a New York corporation having its principal place of business at 84 Hester St., New York, New York, 10002.
6. On information and belief, the defaulting entity K&C International Trading Inc. is not an infant, involved in the military, or otherwise incompetent. K&C International Trading Inc. is a New York corporation having its principal place of business at 84 Hester St., New York, New York, 10002.
7. Plaintiff's Complaint was filed on April 25, 2013.

- 1 8. Plaintiff's Complaint was served on Kam Ng personally on May 3, 2013 as set forth in the
2 Declaration of service of Anthony N. Elia, Esq. dated May 3, 2013. Said Declaration was filed
3 *via* the ECF system on May 3, 2013, docket entry #19.
- 4 9. Plaintiff's Complaint was served simultaneously on the corporate entities on May 3, 2013 by
5 personal service on Kam Ng as set forth in the Declaration of service of Anthony N. Elia, Esq.
6 dated May 3, 2013. Said Declaration was filed *via* ECF on May 3, 2013, docket entry 19.
- 7 10. Summons were returned executed and filed *via* ECF on May 3, 2013, docket entries 15-18.
- 8 11. An Amended Complaint was filed and served *via* ECF on May 17, 2013, docket entry 27.
- 9 12. Kam Ng is upon information and belief, a principal of the corporate defendants and is authorized
10 to accept such service on their behalf. Since both the time of service and the time of filing,
11 Defendants have failed to plead, respond, or otherwise defend the action.

12 **I declare under penalty of perjury under the laws of the state of New York that the foregoing is**
13 **true and correct.**

14 Signed at San Jose, California, on September 10, 2013.

15 /s/
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18 Otto O. Lee

19 Attorney for Plaintiff
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